

EXHIBIT A

1 Brett L. Gibbs, Esq. (SBN 251000)
2 Steele Hansmeier PLLC.
3 38 Miller Avenue, #263
4 Mill Valley, CA 94941
5 415-325-5900
6 blgibbs@wefightpiracy.com

7 *Attorney for Plaintiff*

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

LIUXIA WONG,

Plaintiff,

v.

HARD DRIVE PRODUCTIONS, INC.,
et al.,

Defendant(s).

No. C-11-00469 HRL

DECLARATION OF BRETT L. GIBBS

DECLARATION OF BRETT L. GIBBS

I, Brett L. Gibbs, declare as follows:

1. I am an attorney at law licensed to practice in California, and admitted in the Northern District of California. My business address is 38 Miller Avenue, #263, Mill Valley, CA, 94941. I am counsel of record for Defendant Hard Drive Productions, Inc. in this matter.

2. In or around December of 2011, I had a brief conversation with Liuxia Wong's attorney, Steven Yuen. During that conversation I made it abundantly clear that it was my client's belief that his client, Ms. Wong, was not the likely infringer of Hard Drive Productions, Inc.'s copyrighted work especially in light of the subject matter of the video at issue. Instead, I specifically

1 mentioned to Mr. Yuen that I believed it was someone else in Ms. Wong's household who was the
2 actual infringer in Case No. 4:cv-11-5630.

3 3. On or around January 19, 2012, after informing Mr. Yuen of the court's authorization
4 of a deposition of Ms. Wong, I had another brief conversation with Mr. Yuen. In that conversation,
5 Mr. Yuen specifically offered my client a choice to accept a declaration from Ms. Wong stating that
6 she was not the infringer of Hard Drive Production Inc.'s copyrighted works, in return for my client
7 withdrawing its request to take Ms. Wong's deposition. I responded by saying that such a
8 declaration would be insufficient because the declaration would be lacking key information about
9 Ms. Wong's, for instance, family and housemates living with Ms. Wong who, as I stressed again to
10 Mr. Yuen, were the likely infringers of my client's copyright video.
11

12 4. I declare under penalty of perjury that the foregoing is true and correct based on my
13 own personal knowledge, except for those matters stated on information and belief, and those
14 matters I believe to be true. If called upon to testify, I can and will competently testify as set forth
15 above.
16

17 **DATED: February 5, 2012**

18 By: _____/s/ Brett L. Gibbs,_____
19
20
21
22
23
24
25
26
27
28